IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
ASHEVILLE DIVISION
File No.: 1:07-CV-231-LHT-DLH

C. BURGESS, Plaintiff,	)	
v.	)	
EFORCE MEDIA, INC., IWIZARD HOLDING, INC., ADKNOWLEDGE, INC., BASEBALL EXPRESS, INC., ALLEN-EDMONDS SHOE CORPORATION, INTERSEARCH GROUP, INC., TRUSCO MANUFACTURING COMPANY, PRICEGRABBER.COM, INC. SHOPZILLA, INC., DAZADI, INC., SIX THREE ZERO ENTERPRISES, LLC, Defendants.	)	**MOTION TO DISMISS BY DEFENDANT ALLEN EDMONDS SHOE CORPORATION**

Defendant Allen Edmonds Shoe Corporation, through counsel, hereby moves, pursuant to Rule 12(b)(6) of the Federal Rules of Civil Procedure, to dismiss the Complaint of Plaintiff C. Burgess. Plaintiff's allegations fail to state a cause of action entitling Plaintiff to relief against Allen Edmonds. Defendant submits the attached memorandum of law in support of this motion.

This the 23rd day of July, 2007.

/s/ Brian S. Heslin
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CERTIFICATE OF SERVICE

I hereby certify that on July 23, 2007, the **MOTION TO DISMISS BY DEFENDANT ALLEN EDMONDS** was filed electronically with the Clerk of Court through ECF, and by serving a copy by depositing a copy of the same in the US Mail, first class postage pre-paid, to the following attorneys for said parties:

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This the 23d day of July, 2007.

/s/Brian S. Heslin